

ORDINANCE NO. 97-21

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS SERIES OF THE LAND USE ELEMENT; ADOPTING A SMALL SCALE DEVELOPMENT AMENDMENT; MODIFYING FUTURE LAND USE ATLAS PAGE 89 BY CHANGING A 1.8 ACRE PARCEL OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF BOYNTON BEACH BOULEVARD APPROXIMATELY 800 FEET EAST OF HAGEN RANCH ROAD, FROM MEDIUM RESIDENTIAL 5 TO COMMERCIAL LOW, WITH AN UNDERLYING MEDIUM RESIDENTIAL 5; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

WHEREAS, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

WHEREAS, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on May 23, 1997, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made a recommendation regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to

Chapter 163, Part II, Florida Statutes at the conclusion of the public hearing; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on June 23, 1997, to review the recommendation of the Local Planning Agency; and

**WHEREAS**, the Palm Beach County Board of County Commissioners has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

**Part I. Amendment to the Future Land Use Atlas of the Land Use Element of the 1989 Comprehensive Plan**

An Amendment to the Land Use Element's Future Land Use Atlas of the Palm Beach County 1989 Comprehensive Plan, is hereby adopted as follows:

A. Future Land Use Atlas page 89 is amended as follows:

Application No.: 1997 - SCA 89 COM 1

Amendment: From 1.8 acres of Medium Residential 5 (MR-5) to Commercial Low (CL) with an underlying Medium Residential 5 (MR-5).

General Location: South side of Boynton Beach Boulevard approximately 800 feet east of Hagen Ranch Road.

Size: 1.8 acres

B. A legal description for the parcel depicting the amendment is attached to this ordinance as Exhibit 1.

C. A map depicting the amendment is attached to this ordinance as Exhibit 2.

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3 **Part II. Effective Date**

4 This amendment shall not become effective until 31 days  
5 after adoption. If challenged within 30 days after adoption,  
6 this amendment shall not become effective until the state land  
7 planning agency or the Administration Commission, respectively,  
8 issues a final order determining the amendment is in  
9 compliance.

10 **APPROVED AND ADOPTED** by the Board of County Commissioners  
11 of Palm Beach County, on the 23 day of June, 1997.  
12  
13 DOROTHY H. WILKEN PALM BEACH COUNTY, FLORIDA,  
14 BY ITS BOARD OF COUNTY COMMISSIONERS

15  
16 By: *Santhya* *Maude Ford Lee*  
17 Deputy Clerk Vice-Chair  
18  
19  
20  
21  
22



23 APPROVED AS TO FORM AND  
24 LEGAL SUFFICIENCY

25 *Belmont Cotton*  
26 COUNTY ATTORNEY  
27  
28  
29

30 Filed with the Department of State on the 27th day of  
31 June, 19 97.  
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**LEGAL DESCRIPTION:**

The south 318.64 feet of the east three quarters (3/4) of tract 6, block 55, Palm Beach Farms Company Plat No. 3, together with an easement for road purposes over the west 20.0 feet of the said east 3/4 of tract 6, block 55, less the south 318.64 feet thereof.

CONTAINING 1.8 +/- ACRES.

## GENERALIZED LOCATION MAP

Application No.: 97-SCA 89 COM 1

General Location: On the south side of Boynton Beach Boulevard, approximately 800 feet east of Hagen Ranch Road.

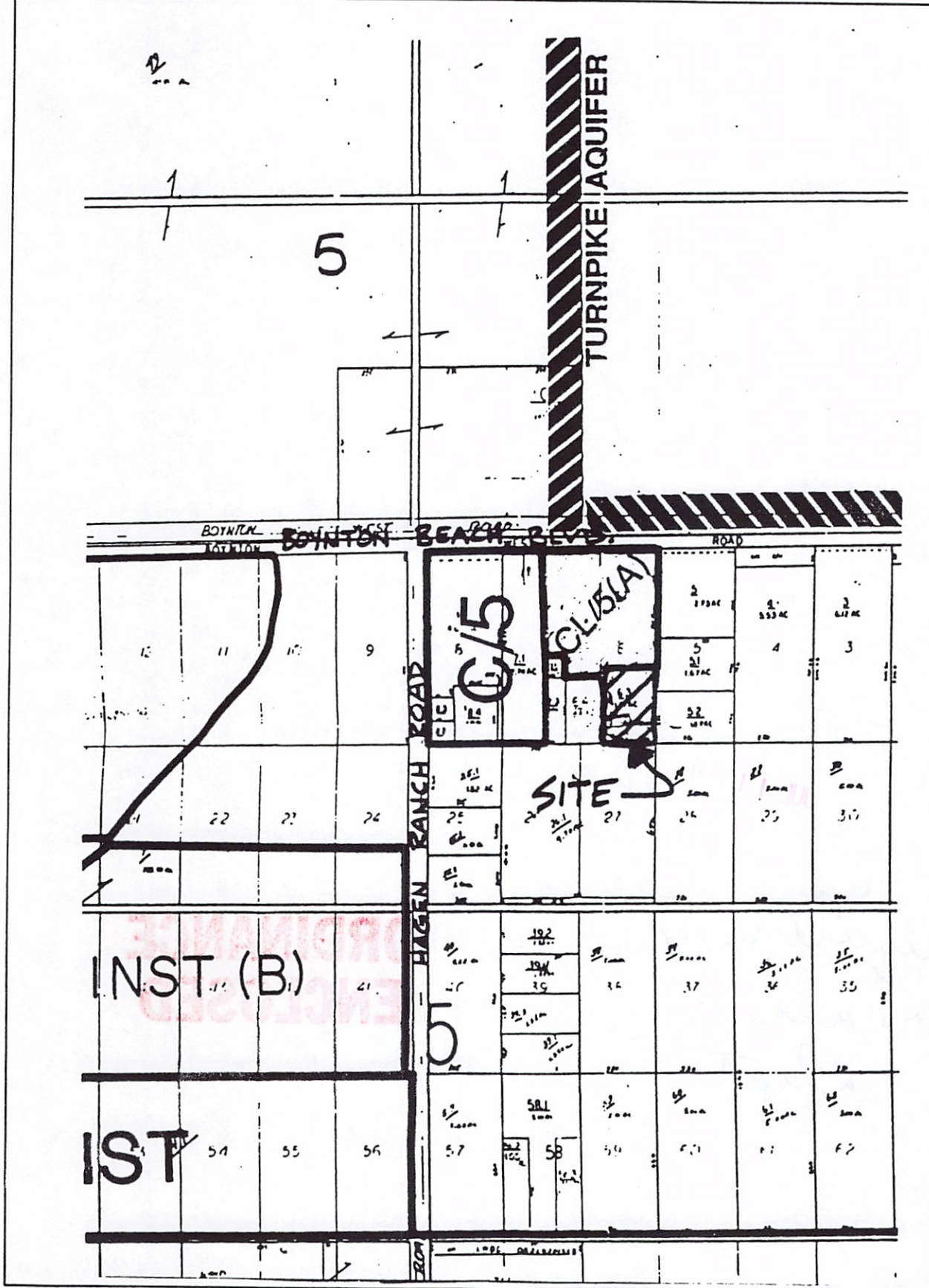
Size: 1.8 acres

Existing Use: Single Family Home &amp; Trailer

Existing FLU: Medium Residential 5 (MR-5)

Adopted FLU: Commercial Low (CL)

Property Numbers: 00-42-43-27-05-055-0063



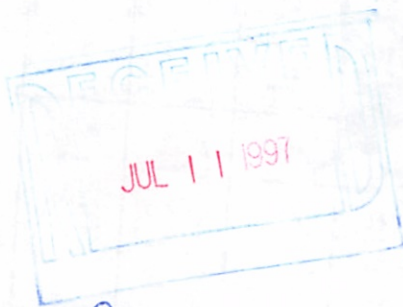
STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office

on 6/23/97

DATED at West Palm Beach, FL on 7/2/97

DOROTHY H. WILKEN, Clerk

By: Phyllis A. House D.C.



County Library  
Serials  
dept.

**ORDINANCE  
ENCLOSED**